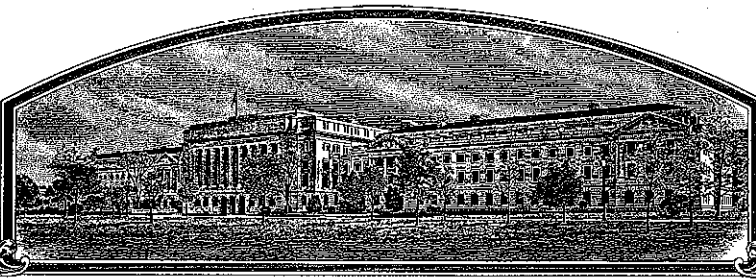


No.

200500062



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CELERY

'Triple Eight'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of September, in the year two thousand and five.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

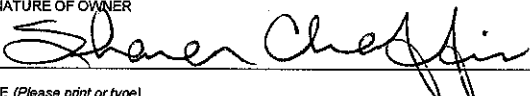


U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Seminis Vegetable Seeds, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME SVR 0888		3. VARIETY NAME Triple Eight	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967		5. TELEPHONE (include area code) (805) 647-1572		FOR OFFICIAL USE ONLY 200500062 FILING DATE Dec 21, 2004	
		6. FAX (include area code) (805) 918-2545			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION California		9. DATE OF INCORPORATION 4-Jun-1962	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)				FILING AND EXAMINATION FEES: \$ 3652.00 DATE 12/21/04 CERTIFICATION FEE: \$ 682.00 DATE 8/02/05	
Sharen Chaffin Seminis Vegetable Seeds, Inc. 37437 State Hwy 16 Woodland CA 95695 Marcel Bruins Seminis Vegetable Seeds, Inc. Nude 54D 6702 DN Wageningen The Netherlands marcel.bruins@seminis.com PH: 31 317 450218; FX 31 317 450217					
11. TELEPHONE (include area code) (530) 669-6172		12. FAX (include area code) (530) 666-4426		13. E-MAIL sharen.chaffin@seminis.com	
14. CROP KIND (Common Name) Celery					
15. GENUS AND SPECIES NAME OF CROP Apium graveolens L. var dulce (Miller) Pers.		16. FAMILY NAME (Botanical) Apiaceae		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)			
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (BT: 5/23/2005 per applicant's request) IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
24. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) Sharen Chaffin		NAME (Please print or type)			
CAPACITY OR TITLE IP Specialist		DATE 12/20/04		CAPACITY OR TITLE	
				DATE	

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

2005 000 62

ITEM

- 18a. Give:
- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 - (2) the details of subsequent stages of selection and multiplication;
 - (3) evidence of uniformity and stability; and
 - (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See *Regulations and Rules of Practice*, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

US: Sale April 2004

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705.

Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

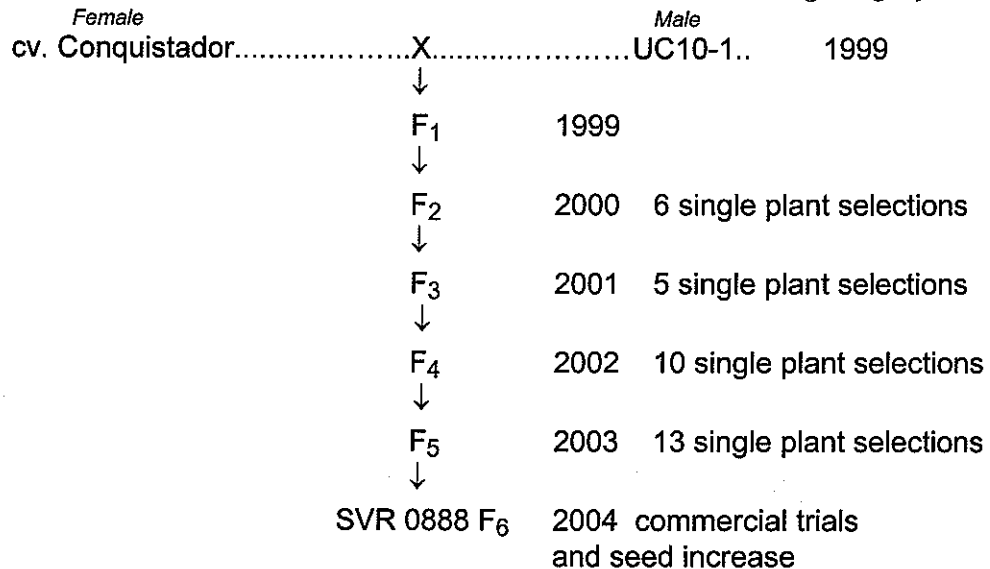
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

Pedigree of SVR 0888

2005 000 6 2



'Triple Eight' (SVR 0888) originated in 1999 with the cross cv. Conquistador by breeding line UC10-1. The breeding line UC10-1 was obtained from the laboratory of Dr. Carlos Quiros of the University of California, Davis and is resistant to Fusarium oxysporum f. sp. apii, Race 2. Single plant selections were made in subsequent years in the areas of intended commercialization. By F₅ a group of 13 families was judged uniform and bulked for trialing and seed increase. The F₆ mass was trialed extensively during 2004 and an increase was produced.

The breeding work was carried out by Dr. William Waycott at the Seminis Vegetable Seed's Research Station at Arroyo Grande, California.

The breeding method employed was pedigree selection, using both single plant selection and mass selection practices. The selection criteria for SVR 0888 were:

1. a tall, dark green plant with wide, smooth petioles, when compared to the most similar variety, cv. Conquistador.
2. resistance to Fusarium oxysporum f. sp. apii, Race 2.

'Triple Eight' (SVR 0888) In trials of SVR 0888 during 2004 testing plants of the F₆ generation, we have seen neither genetic variants nor off-types in more than 4,400 plants, indicating that this variety is genetically uniform and stable.

200500062

'Triple Eight' (BT:5/23/2005)
(SVR 0888) is described as a vigorous, Tall Utah type adapted to the celery producing areas of California. SVR 0888 can be sown throughout the year. SVR 0888 was selected for improved uniformity and performance compared to the most similar commercial cultivar, cv. Conquistador, with dark green, wider and smoother petioles and resistance to Fusarium oxysporum f. sp. apii, Race 2.

Phenotypically, SVR 0888 is distinct from cv. Conquistador (Table 1). In replicated field trials, SVR 0888 consistently made taller petioles to the first joint (28.5 cm vs. 27.0 cm), and more uniform petioles, when compared to cv. Conquistador. Petiole color for SVR 0888 was the same as cv. Conquistador (RHC color chart 146B), however the petioles were less ribby (inconspicuous vs. moderate) and wider at the midpoint (3.6 cm vs. 3.0 cm). SVR 0888 was also resistant to Fusarium oxysporum f. sp. apii, Race 2, while cv. Conquistador was susceptible (0.8 vs. 3.5, on a scale of 0 to 5).

The data presented here are statistically different at the 95% confidence level, exhibiting a range of means for Fusarium oxysporum f. sp. apii, Race 2 resistance from 0.73 to 0.80 for SVR 0888 and from 3.45 to 3.50 for cv. Conquistador, of means for petiole length from 28.40 to 28.60 for SVR 0888 and from 26.83 to 27.02 for cv. Conquistador, and of means for petiole width from 3.55 to 3.60 for SVR 0888 and from 2.90 to 2.95 for cv. Conquistador, using the 0.95 probability of generating confidence intervals (CI) that contains the means.

'Triple Eight' (BT:5/23/2006 per appl. card's authorization)

((<SVR 0888X Triple Eight)
cv. Conquistador
(Gr: 5/23/2006)

0.73 to 0.80	28.40 to 28.60	3.55 to 3.60
3.45 to 3.50	26.83 to 27.02	2.90 to 2.95

^b Mean incidence of symptoms of *Fusarium oxysporum* f. *sp. apii*, Race 2 ranked using a scale of 0 (no symptoms) to 5 (dead plant) using two sowing dates of 20 plants per replication \pm standard deviation.

^d Mean petiole width using two sowing dates of 20 plants per replication in $\text{cm} \pm$ standard deviation.

^eVisual assessment of ribbing (epidermal undulation) on outer petiole surface.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
COMMODITIES SCIENTIFIC SUPPORT DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20706

FORM APPROVED: OMB NO. 0581-0055

EXHIBIT C
(Celery)

OBJECTIVE DESCRIPTION OF VARIETY
CELERY (*Apium graveolens* L. var. *dulce* (Miller) Pers.)

NAME OF APPLICANT(S) <u>Seminis Vegetable Seeds, Inc.</u> <u>(BT: 5/23/2005 per applicant's authorization)</u>	TEMPORARY DESIGNATION <u>SVR 0888</u>	VARIETY NAME <u>TRIPLE EIGHT</u>
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) <u>2700 Camino del Sol</u> <u>Oxnard, CA 93030-7967</u> <u>(BT: 5/23/2005 per applicant's authorization)</u>		FOR OFFICIAL USE ONLY PVPO NUMBER <u>2005 000 62</u>

Place numbers in the boxes to designate the expressions which are characteristic of the application variety. Data for quantitative plant characters should be based on a minimum of 50 plants. Include leading zeros when necessary (e.g., 0 8 9) for quantitative data. Comparative data should be determined from varieties entered in the same trial with the same planting or transplant date. Plant colors may be precisely designated by using any recognized color chart, e.g., The National Bureau of Standards Color Kit 2107.

COMPARISON VARIETIES
(For Use Below)

1 = Tall Utah 52-70R Improved 2 = Florida 683 3 = Summer Pascal 4 = Tall Golden Self Blanching

1. TYPE:

1

- 1 = Crystal Jumbo (Tall Utah 52-70R Improved)
2 = Ordinary Utah (Tall Utah 10-B)
3 = Pascal (Summer Pascal)
4 = Green Intermediates (Slow Bolting Green No. 96)
5 = Yellow (Tall Golden Self Blanching)
6 = Other (Specify) _____

2. MATURITY:

Number of days from transplanting to harvest date (during principal production period of growing location):

90

Days in Western U.S. (Specify growing location and transplant date): SALINAS VALLEY, CA

07

Days earlier than 2

Same as 1

Days later than

Comparison Varieties

Days in Eastern U.S. (Specify growing location and transplant date): _____

Days earlier than

Same as

Days later than

Comparison Varieties

Class (as determined by number of days from transplanting to harvest maturity):

3

In Western U.S.

1 = Very Early
(≤ or = 70 days)

2 = Early
(71 - 85 days)

In Eastern U.S.

3 = Midseason
(86 - 100 days)

4 = Late
(101 - 115 days)

5 = Very Late
(≥ or = 116 days)

3. PLANT (At Harvest Maturity):

Height (from crown to top of leaves):

Mean:

Most common range:

cm

to cm

cm taller than

Same as

cm shorter than

Comparison Varieties

LSD .05 = cm

Height class (as determined by mean plant height):

1 = Short (< 48cm)

2 = Medium (48-61cm)

3 = Tall (> 61cm)

Number of outer petioles (40cm or longer) per plant

More than

Same as

Less than

Comparison Varieties

LSD .05 =

Number of inner petioles (less than 40cm) per plant

More than

Same as

Less than

Comparison Varieties

LSD .05 =

Stalk Shape ("Stalk" refers to a market trimmed plant):

1 = Cylindrical
(Tall Utah 52-70R Improved)

2 = Flaring
(Summer Pascal)

3 = Spindle
(Tall Utah 10-B)

Stalk Conformation:

1 = Compact
(Tall Utah 52-70R Improved)

2 = Slightly Open
(June-Belle)

3 = Loose
(Summer Pascal)

Heart Formation:

1 = Sparse (Summer Pascal)

2 = Medium

3 = Full (Tall Utah 52-70R Improved)

4. PETIOLE (Outer marketable petioles of stalk; use same petioles and number of petioles for length, width, and thickness measurements):

Length (from butt to first joint):

Mean:

Most common range:

cm

to cm

mm longer than

Same as

mm shorter than

Comparison Varieties

LSD .05 = mm

4. PETIOLE (Continued)

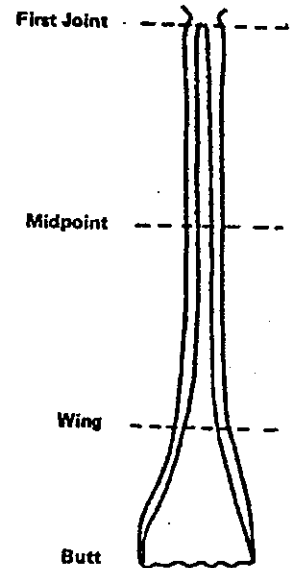
Length Class (as determined by mean petiole length):

☒ 1 = Short (< 20cm)

2 = Medium (20-30cm)

3 = Long (> 30cm)

DIAGRAM OF PETIOLE



Width (at midpoint between wing and first joint):

☒ 28 mm☐ mm wider than

Same as

☒ 3 mm narrower than

Comparison Varieties

LSD .05 = ☐ 0 ☒ 8 mm

Thickness (at midpoint between wing and first joint):

☒ 14 mm☐ mm thicker than

Same as

☒ 2 mm thinner than

Comparison Varieties

LSD .05 = ☐ 0 ☒ 6 mm

CROSS SECTION AT MIDPOINT



Site of Thickness Determination

Cross-sectional Shape (at midpoint between wing and first joint):

☒ 1 = Deeply Cupped

2 = Moderately Cupped

3 = Slightly Cupped

4 = Nearly Flat



Color (Unblanched at harvest):

☒ 1 = Yellow (Tall Golden Self Blanching)
 3 = Medium Green (June-Belle)
 5 = Very Dark Green (Tall Utah 52-75)

 2 = Light Green (Earlibelle)
 4 = Dark Green (Tall Utah 52-70R Improved)

Color Chart Value (Specify chart used:)

Application Variety

Comparison Variety

 ROYAL HORTICULTURAL SOCIETY = 14/13 (BT: 5/23/2005 per applicant's authorization)
 Triple Eight (BT: 5/23/2005 per applicant's authorization)
 Conquistador (BT: 5/23/2005 per applicant's authorization)

Anthocyanin:

☒ 1 = Absent

2 = Present

Stringiness:

☒ 1 = Very Slight (June-Belle)

2 = Moderate (Florida 683)

3 = Normal (Tall Utah 52-70R Improved)

Ribbing:

☒ 1 = Inconspicuous (Summer Pascal)

2 = Moderate (Tall Utah 52-70R Improved)

3 = Prominent (Tall Golden Self Blanching)



Glossiness:

☒ 1 = Dull (Summer Pascal)

2 = Moderately Glossy (Tall Utah 52-70R Improved)

3 = Glossy (Golden Detroit)

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5. LEAF BLADE (Of outermost petioles of trimmed plant):

Color of Upper Surface:

☒ 21 = Yellowish Green
(Tall Golden Self Blanching)2 = Dark Green
(Tall Utah 52-70R
Improved)

3 = Other (Specify) _____

Color Chart Value (Specify chart used; ROYAL HORTICULTURAL SOCIETY):

Application Variety _____

Comparison Variety _____

6. BOLTING:

Class:

☒ 2

1 = Easy Bolting (Tall Utah 52-70R Improved)

2 = Slow Bolting (Slow Bolting Green No. 96)

3 = Very Slow Bolting (Tall Non-Bolting Golden Plume)

☐ 1 ☒ 5% Plants Bolted in Seedling Year (Specify growing location and transplant date for field tests, or temperature and length of vernalization period for artificial induction; OXNARD, CA 8 JAN 04):☐ ☐

% More plants bolted than

☐

Same % plants bolted as

☐☐ ☐

% Less plants bolted than

☐1 = Tall Utah 52-70R Improved
2 = Florida 683
3 = Golden Plume
4 = Slow Bolting Green No. 96

7. STRESS TOLERANCE (0 = untested, 1 = susceptible, 2 = tolerant; data from replicated tests comparing the application variety with the indicated susceptible (S) and tolerant (T) check varieties should be provided whenever possible in Exhibit D):

☒ 2

Adaxial Crackstem (Boron Deficiency; S = Utah 10-B, T = Tall Utah 52-70R Improved)

☒ 2

Abaxial Crackstem (Boron Deficiency; S = Florimart, T = Florida 683)

☒ 2

Leaf Margin Chlorosis (Magnesium Deficiency; S = Utah 10-B, T = Tall Utah 52-75)

☐ 1

Blackheart (Calcium Deficiency; S = Florida 683)

☐ 1

Pithiness (Nutritional Deficiency; S = Tall Utah 52-70R Improved, T = Florida 2-13)

☐

Other (Specify) _____

8. DISEASE RESISTANCE (0 = untested, 1 = susceptible, 2 = resistant; data from replicated tests comparing the application variety with the indicated susceptible (S) and resistant (R) check varieties should be provided whenever possible in Exhibit D):

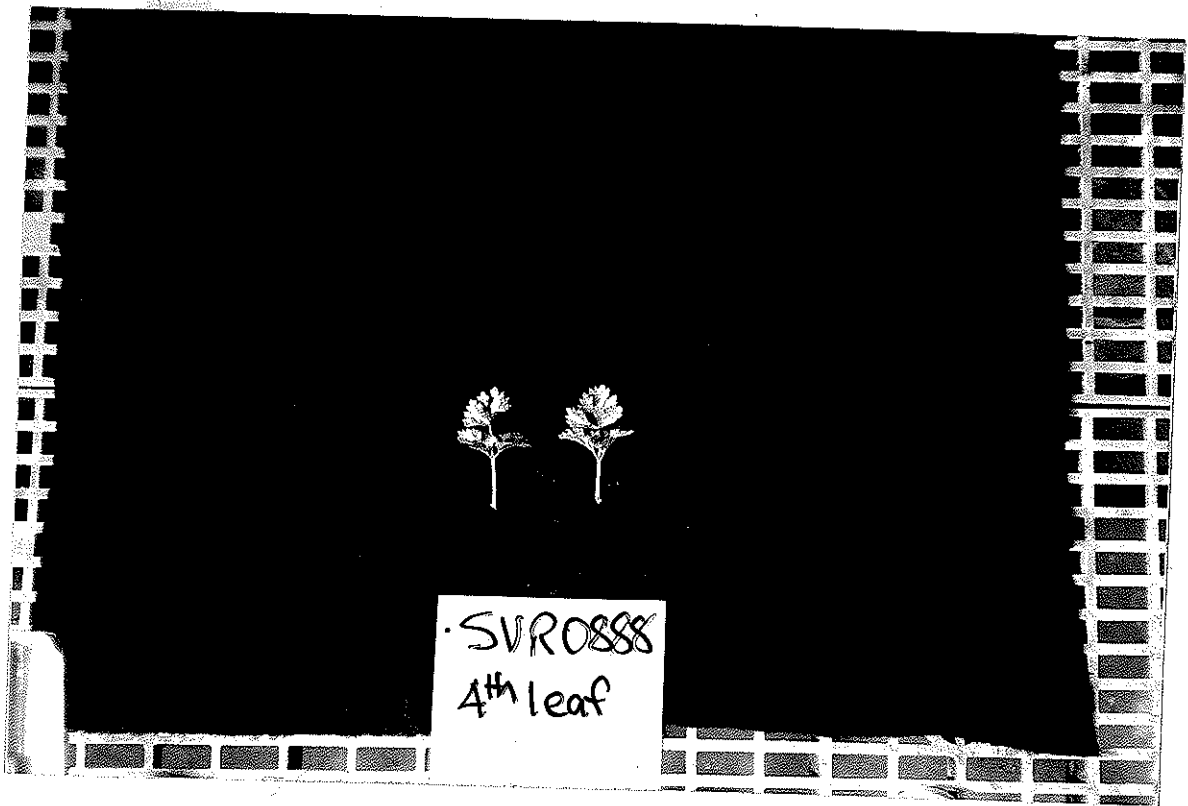
☐ 0Bacterial Leaf Spot (*Pseudomonas cichorii*; S = Florida 683, R = Florimart)☐ 0Early Blight (*Cercospora apii*; S = Florida 683, R = Florimart)☐ 0Late Blight (*Septoria* spp.; S = Florida 683)☐ 0Fusarium Yellow, Race 1 (*Fusarium oxysporum* f. sp. *apii*; S = Fordhook, R = Tall Utah 52-70R Improved)☒ 2Fusarium Yellow, Race 2 (*Fusarium oxysporum* f. sp. *apii*; S = Tall Utah 52-70R Improved)☐ 0Western Celery Mosaic (*Marmor umbelliferarum*; S = Florida 683)☐ 0Southern Celery Mosaic (*Marmor cucumeris* var. *commelinae*; S = Florida 683)☐ 1Pink Rot (*Sclerotinia* spp.; S = Florida 683)☐

Other (Specify) _____

9. INDICATE THE VARIETY THAT MOST CLOSELY RESEMBLES THE APPLICATION VARIETY FOR THE FOLLOWING CHARACTERS:

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant Height	CONQUISTADOR	Leaf Color	CONQUISTADOR
Petiole Color	CONQUISTADOR	Maturity	CONQUISTADOR
Petiole Length	CONQUISTADOR	Bolting Resistance	CONQUISTADOR

NOTE: Any additional descriptive information and supporting documentation may be provided as Exhibit D.



Fourth leaf from 20-day old seedlings ('Triple Eight' SVR 0888)
(BT: 5/23/2005 per applicant's authorization)

20050000

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Seminis Vegetable Seeds, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER SVR 0888	3. VARIETY NAME Triple Eight
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967	5. TELEPHONE (Include area code) (805) 647-1572	6. FAX (Include area code) (805) 918-2545
7. PVPO NUMBER 200500062		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The variety named in this application was developed by the Seminis Vegetable Seeds, Inc., employee (breeder) named below. By agreement between employee and Seminis Vegetable Seeds, Inc., all rights to any invention, discovery, or development made by an employee are assigned to the Company. No rights to such an invention, discovery, or development are retained by the employee.

Employee (Breeder): Bill Waycott

Site Location: Arroyo Grande, CA

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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